

MILFORD CITY COUNCIL  
MINUTES OF MEETING  
November 23, 2020

A Meeting of the City of Milford Police Committee was held convened by way of a video conferencing website on Monday, November 23, 2020. The meeting was available for public view and participation as permitted.

PRESIDING: Chairperson Mike Boyle

IN ATTENDANCE: Mayor Campbell, Councilmembers Jason James, Andrew Fulton, Doug Morrow

STAFF: City Manager Mark Whitfield, Police Chief Kenneth Brown, City Solicitor David Rutt, Director of Finance Lou Vitola and City Clerk Terri Hudson

In an effort to adhere to social distancing protocols and best practices imposed by Governor John Carney's State of Emergency Declaration effective March 13, 2020, the City of Milford has canceled all public gatherings until further notice. See November 23, 2020 Committee Meeting Agenda for additional information.

CALLED TO ORDER

Chairman Boyle called the meeting to order at 6:02 p.m.

NEW BUSINESS

*Consideration/Behavioral Health Unit*

Chief Brown introduced Amy Kevis from Partners with Public Safety Solutions who has been at the forefront of all of the Delaware agencies that have mental health clinicians either riding with them or as part of their department.

Ms. Kevis provided a brief overview of herself. She worked in law enforcement for 20 years as a New County Castle Police Officer retiring in 2012. She then went to work for the State's Division of Substance Abuse and Mental Health. At that time, the State was under a voluntary consent decree with the United States Department of Justice. This mandate was to get all the individuals that had been kept inside of the Delaware Psychiatric Center into the community with wraparound services that would allow them to live independently. Also, at the same time, the opioid epidemic was coming about with many people have trouble getting treatment. On a regular basis, law enforcement officers were responding to those suffering from opioid issues. Law enforcement continues to respond to multiple overdoses by carrying Narcan during their shifts. Ms. Kevis believes that it would be helpful for officers in Delaware to be part of the treatment continuum so that they can refer people to treatment.

Ms. Kevis explained that the clinicians screen and refer the treatment. They help to leverage the opportunity that the police have to interface with people at the time of contact to refer them into treatment. It allows police an additional tool while helping to get people treatment. The hope is that the people will stay engaged as we know it takes many months for people to fight an addiction.

Chief Brown asked Ms. Kevis to touch on how the department would interface with her. Ms. Kevis explained that after she left her last community provider, there was still a need. She still monitored these programs and that is when she started a non-profit group called Partners and Public Safety Solutions. She has received her 501(c)3 status. The way that she is interfacing with law enforcement agencies and securing a contractor through a grant. For example, the funding would be secured through the Criminal Justice Council or SAMHSA or possible written into the budget. However, the City would need to decide how to fund the program before coming to her nonprofit. She reported 85% of the cost is for salary for the clinician. Therefore, there is a very low direct cost and everything is rolled into the salary. The clinicians' salary is paid through the non-profit group so the police agency does not have to worry about being a behavioral health provider.

Chairman Boyle asked if she was more focused on substance or mental health issues in general; Ms. Kevis explained that it is referred to as behavioral health. Therefore, it encompasses mental health diagnoses and the substance use disorder.

She added that often times, they are linked. The clinician will go out and do an assessment to determine the person's needs and then link them to some type of community treatment. She added that if there is a substance-abuse need, they would go into a detox facility. If they need mental health aid, they would go to a crisis walk-in center.

Councilman Fulton asked if people would be responding out with the officers to decide if action needed to be taken or would the officers contact her to perform an evaluation. Ms. Kevis explained there is an entire behavioral health care team now with many clinicians available at all times of the day and night. The Town of Smyrna has clinicians ride with them sometimes and other times the clinicians stay in the office to complete follow ups.

The Town of Georgetown is doing a hybrid model as well. Ms. Kevis stated that it is up to the agency and how they believe it would be most effective for their community. She prefers the clinicians be present to assess the situation, while having the authority of the police in attendance as well.

Mayor Campbell asked if when dispatch provide information to the officers that a person is having issues, would the officers take over initially or the clinicians; Ms. Kevis replied that seeing safety and officer safety is always first. So, the officer would do what they do in every situation and make sure the scene and the person is safe. Once the situation is under control, then the clinician would step in and do an assessment.

Councilman Fulton asked if the clinician would wear any type of protective gear and Ms. Kevis replied that it can be provided but is not mandatory. Chief Brown said the clinicians become involved once the scene is safe.

It was determined that Georgetown currently has two full-time clinicians and a third part-time. Ms. Kevis recommends starting slow to be sure that everyone is interfacing well.

Chief Brown explained that currently if there is someone that needs a mental evaluation, they have to be taken to the ER and an officer has to sit there with them. In order to get a commitment, a police officer and doctor have to sign a commitment. This would allow the clinician to take the place of the doctor. This would allow the person to be committed from the scene and taken directly to the proper facility. Ms. Kevis emphasized that would be true as long as the behavioral facility does not mandate medical clearance.

Mayor Campbell asked if this clinician would be on the City payroll or contracted; Ms. Kevis replied that they are contracted out through her non-profit group. They are an independent contractor and she oversees and provides clinical supervision when needed.

Ms. Kevis added that she carries liability insurance through the non-profit and the clinicians also carry their own liability insurance which is required.

When asked about a valid or professional license, Ms. Kevis replied that one is not licensed but their paperwork and detentions are overseen by a psychiatrist. Another is licensed though she is unsure about the staff that is currently at New Castle County and assumes that they are licensed social workers. Regardless, it is preferred that they are licensed.

When asked if the bill would be sent to the City and Ms. Kevis replied that it can be worked a few ways. In Smyrna, they hold the grant and currently the clinicians submit their timesheet, and once it is signed off, it is sent to them for reimbursement. She believes that it the best to do it so that hours can be tracked. Through CARA funding, there is a good amount of money out there for addiction money.

Chairman Boyle asked for any further questions or comments.

Councilman James thanked Ms. Kevis on providing the information tonight.

Training was then discussed and Ms. Kevis replied that she recently started a contract with the State's Division of Public Health to focus on interfacing with first responders around the opioid crisis. There is a grant called the 'overdose data to action grant' that the State of Delaware was given which is part of that training law enforcement on behavioral health. The public health component will be included to understand addiction and behavioral health issues.

When asked about Brandywine, Ms. Kevis replied that she is familiar with their staff and managed some of their contracts when she worked for the State. She believes the benefit of working with her as a non-profit rather than an agency is that she can refer them anywhere.

Chairman Boyle asked for any additional questions or comments; there were none.

Chairman Boyle asked Solicitor Rutt for FOIA purposes how much can be discussed among the committee for planning forward. Solicitor Rutt responded it would be a violation of FOIA and a public meeting is required.

Chairman Boyle asked Councilmen James and Fulton if they had any input on a plan forward.

Councilman James replied that he believes that different funding options needs to be looked into. He feels that another meeting is needed so that everyone understands the information presented tonight. Chairman Boyle agreed with Councilman James. Chairman Boyle then asked how the Town of Georgetown and New Castle County talk to the committee about how they implemented the program. Chairman Boyle expressed concern on the certification and liability issues. He believes that should be looked into a little more with our legal counsel.

Councilman Fulton explained that the way it is set up by the person operating directly underneath the psychiatrist is legal in the State of Delaware. He feels that we should focus more on the Town of Smyrna since it is a sister City as far as size to look at how they handle this process. Councilman Fulton believes that it would be helpful for the Finance Department to look into the grant opportunities that were available to get information.

Councilman Fulton pointed out that Banyan was not pointed out at all during the presentation by Ms. Kevis. He explained there is a resource in the City called Banyan and asked for the committee members' thoughts. Chief Brown stated that he is familiar with them and they provide a great service but does not feel the clients discussed tonight would be eligible to go there. He explained that you must have insurance in place and from what he is hearing, hardly any of the people they deal with have any medical insurance.

Solicitor Rutt pointed out that there was a psychiatric care hospital that opened in Georgetown and there are many patients referred there. Chief Brown replied that they run into the same issue there; some referrals have gotten turned down because of lack of insurance. Chief Brown added that Ms. Kevis is using all of the facilities that have been mentioned and she will ensure they get to the proper facility.

#### *Police Facility Update*

Chairman Boyle announced the school board received approval from the State to go forward with the middle school. Therefore, there will be interest on their part to move forward with a referendum. He shared that we should be mindful of that and pay close attention.

Councilman Fulton spoke to Superintendent Kevin Dickerson and he informed him the funding has been set aside from the State. They will not be moving forward right now though it will happen in the future.

Chairman Boyle recalled the financing options for the new police station that were discussed during the Council workshop by Finance Director Vitola. Chairman Boyle asked if anyone had any questions for Mr. Vitola who was in attendance. City Manager Whitfield shared that Mr. Vitola recently received some good news from USDA in terms of their ability to finance. There was a question of the magnitude of the funding for instance and would the USDA be able to fund the entire \$20 million loan. He recently found out that the answer is yes; even though the local USDA branch does not have that amount of funding though the central office would be able to fund this project.

Mr. Vitola discussed another concern which is the timing between the referendum approval and the actual issuance of the debt which would involve a change of the interest rates. With the USDA pre-application process, the project can be committed by USDA and at that point the rate is locked in for the project. After the referendum, the pre-approval process will need to start as soon as possible.

Mr. Vitola discussed whether the 2020 census would impact the ability to borrow favorably with USDA. He shared that there is no community facility funding. The population threshold is 20,000 not 10,000 like the water and sewer projects that have been done in the past. He also noted that it takes the USDA a few years to work in the new census numbers. Therefore, there are few years left to utilize the USDA funding for water and sewer projects. He is recommending that Council leave all options open and once the referendum is approved, we then look for the best option.

Mayor Campbell asked if we would still fall under 20,000 for population with the new census numbers. Mr. Vitola stated that he was not sure, however, we need to be under 20,000 to qualify for the community facility financing and the police station financing. The fear is that we would be over 10,000, which would mean we would be ineligible for funding or complete funding. He emphasized the good news is that we are still eligible for funding that includes 100% of the \$20 million project.

Mayor Campbell asked if prevailing wages will need to be considered and if that would decrease the cost to \$16 million. Mr. Vitola replied that is correct; it would be a cost savings of about 30% so that figure is valid and would save some costs of issuance. Mr. Vitola explained that the amount that is financed makes a significant impact on the debt service. The greatest sensitivity to the debt service increase requirement is the millions financed, not the interest rate.

There being no further comment, Chairman Boyle then adjourned the Police Committee meeting at 7:00 p.m.

Respectfully Submitted,

Tracy N. Torbert  
Transcriber